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Attorney Docket No. 826.1773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yukihiro ABIKO et al.

Application No.: 09/995,781

Group Art Unit: 2614

Filed: November 29, 2001

Examiner:

For: IMAGE PROCESSING DEVICE, METHOD AND STORAGE MEDIUM THEREOF

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4 is checked)*

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR §1.313(c) is filed concurrently herewith or has been granted. A continuation application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____. (MPEP 609 C(1), Form ¶ 6.49, Rev. 1, Feb. 2000, pp. 600-107)
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)
- 9b. ☐ set forth in the application.
- 9c. ☒ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: January 23, 2002
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By: 
James D. Halsey, Jr.
Registration No. 22,729

PRIOR ART INFORMATION LIST

Your case No.	826.1773
Our case No.	990549

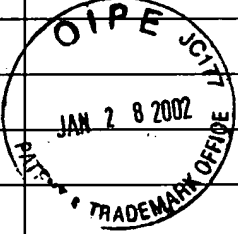
Inventor, Patent number, Country, Author, Title, Number of Document	Issue date	Concise Explanation of the Relevance (indication of page, column, line, figure of the relevant portion)
JP-A-10-23421	Jan. 23, 1998	English Abstract
JP-A-6-153146	May 31, 1994	English Abstract
JP-A-6-54315	Feb. 25, 1994	English Abstract
JP-A-11-8854	Jan. 12, 1999	Translation: section 80-83, 102 & FIG. 11
US-5847767	Dec. 8, 1998	Family: JP-A-7-264590/Oct. 13, 1995 EP 674448 A2/Sep. 27, 1995 EP 674448 A3/Mar. 5, 1997
Y. Niikura et. al "Scene Change Detection from MPGE coded data" IEEJ CMN-97-37~43	Sep. 25, 1997	pp. 7-12
S. Yamada et. al "A scene-change detection method for the video including the special effects" ITE	Apr. 21, 1994	pp. 21-26
JP-A-2-174387	Jul. 5, 1990	English Abstract
JP-A-4-10788	Jan. 14, 1992	English Abstract
JP-A-9-214975	Aug. 15, 1997	English Abstract

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Sheet 1 of 2

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 826.1773	APPLICATION NO. 09/995,781
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Yukihiro ABIKO et al.	
		FILING DATE November 29, 2001	GROUP ART UNIT 2614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,847,767	12/8/98	Ueda	348	423	9/2/97
	AB						
	AC						
	AD						
	AE						
	AF						

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	JP-A-10-23421	1/23/98	Japan			Abst	
	AH	JP-A-6-153146	5/31/94	Japan			Abst	
	AI	JP-A-6-54315	2/25/94	Japan			Abst	
	AJ	JP-A-11-8854	1/12/99	Japan			X	
	AK	JP-A-2-174387	7/5/90	Japan			Abst	
	AL	JP-A-4-10788	1/14/92	Japan			Abst	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

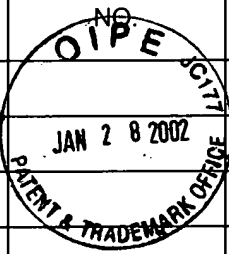
AM	Y. Niikura et al., "Scene Change Detection from MPGE Coded Data", IEEJ, CMN-97-37~43, September 25, 1997, pp. 7-12.
AN	S. Yamada et al., "A Scene-Change Detection Method For The Video Including The Special Effects", ITE, April 21, 1994, pp. 21-26.

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

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	AE						
	AF						



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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	JP-A-9-214975	8/15/97	Japan			Abst	
	AH							
	AI							
	AJ							
	AK							
	AL							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	
	AN	

EXAMINER	DATE CONSIDERED
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